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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRUSTEES OF THE BRICKLAYERS LOCAL	)	CASE NO. C 10-4055 SBA
NO. 3 PENSION TRUST; TRUSTEES OF THE	)	
LOCAL NO. 7 PENSION TRUST; TRUSTEES	)	
OF THE BRICKLAYERS LOCAL NO. 3	)	STIPULATION FOR ENTRY OF
HEALTH AND WELFARE TRUST; TRUSTEES	)	JUDGMENT AND JUDGMENT
OF THE BRICKLAYERS AND ALLIED	)	AGAINST PREFERRED
CRAFTS LOCAL NO. 3 APPRENTICE	)	WATERPROOFING, INC.,
TRAINING TRUST; INTERNATIONAL UNION	)	AND RICHARD ALLAN CERAOLO
OF BRICKLAYERS AND ALLIED	)	
CRAFTSMEN, AFL-CIO, LOCAL UNION NO. 3,	)	
on behalf of itself and as agent for its members;	)	
TRUSTEES OF THE INTERNATIONAL UNION	)	
OF BRICKLAYERS AND ALLIED	)	
CRAFTSMEN PENSION FUND,	)	
	)	
Plaintiffs,	)	
	)	
vs.	)	
	)	
PREFERRED WATERPROOFING, INC., a	)	
California corporation,	)	
	)	
	)	
Defendant.	)	

WHEREAS plaintiffs and defendants have entered into a settlement agreement which provides that this stipulated judgment against PREFERRED WATERPROOFING INC., and RICHARD ALLAN CERAOLO shall be entered by the Court upon submission by the plaintiffs of this stipulated judgment to the Court, signed by defendants, without prior notice to defendants. WHEREAS RICHARD ALLAN CERAOLO is not a party to this action but

hereby agrees and stipulates to entry of an order, without further notice to RICHARD ALLAN CERAOLO or opportunity by him to object, joining him as a defendant in this action.

NOW THEREFORE, the parties hereto request that the Court at this time enter this judgment against PREFERRED WATERPROOFING INC., and RICHARD ALLAN CERAOLO and agree to entry of this judgment at this time without prior notice to or prior opportunity to object by them.

### JUDGMENT

This matter, having come before the undersigned Judge, and the parties hereto having stipulated to judgment, as indicated by the signature hereto of Plaintiffs and the signature of PREFERRED WATERPROOFING INC., and RICHARD ALLAN CERAOLO, all parties to this stipulation consenting to Entry of Judgment and waiving any further notices regarding this stipulation, the judgment or entry of judgment, and the court having reviewed the records and files herein and being fully advised of the premises does hereby:

1. ORDER that RICHARD ALLAN CERAOLO be joined to this action as a defendant.

2. ORDER, ADJUDGE AND DECREE that Plaintiffs do hereby have judgment against PREFERRED WATERPROOFING INC., and RICHARD ALLAN CERAOLO, and each of them, jointly and severally, in the amount of Thirty One Thousand Five Hundred Sixty Seven Dollars and Eighteen Cents (\$31,567.18), inclusive of attorney's fees and costs, plus interest at the annual rate of 10% calculated from the date of entry until paid.

3. ORDER, ADJUDGE AND DECREE that PREFERRED WATERPROOFING INC., shall allow an auditor selected by plaintiffs to examine its payroll records, Federal and State Quarterly Contribution Reports, Federal and State Income Tax Returns, W-2s and other documents reasonably relevant to such purpose to determine whether Preferred has made full and complete payment of all fringe benefit contributions required by the CBA during the period from November 1, 2006 to December 31, 2010.

Dated: \_\_6/20/11

  
Hon. Saundra Brown Armstrong  
U.S. DISTRICT COURT JUDGE

1       PREFERRED WATERPROOFING INC, understands and agrees to all of the terms set  
 2 forth in this stipulated judgment and requests that judgment be entered as herein stated. The  
 3 undersigned is the President of PREFERRED WATERPROOFING INC, and executes this  
 4 stipulation on behalf of, and with the knowledge, authorization and consent of the Board of  
 5 Directors of PREFERRED WATERPROOFING INC, to all of the terms set forth in this  
 6 stipulated judgment and requests that judgment be entered as herein stated.

7  
 8                                   PREFERRED WATERPROOFING INC

9  
 10 Dated: June 7, 2011                   By: /s/ Richard A. Ceraolo  
   Richard A. Ceraolo, President

11  
 12       RICHARD ALLAN CERAOLO understands and agrees to all of the terms set forth in  
 13 this stipulated judgment and requests that judgment be entered as herein stated. RICHARD  
 14 ALLAN CERAOLO further understands, agrees and stipulates to entry of an order, without  
 15 further notice to him and without any opportunity by him to object, joining him as a defendant in  
 16 this action.

17                                   RICHARD ALLAN CERAOLO

18  
 19 Dated: June 7, 2011                   By: /s/ Richard A. Ceraolo  
 20   Richard A. Ceraolo

21  
 22       The undersigned is the President of the plaintiff Union and a trustee of the plaintiff trust  
 23 funds, and executes this stipulation on behalf of, and with the knowledge, authorization and  
 24 consent of Plaintiffs, to all of the terms set forth in this stipulated judgment and requests that  
 25 judgment be entered as herein stated.

26  
 27 Dated: June 15, 2011               By: /s/ Tom Spear  
 28   Tom Spear, President / Trustee

**Attestation Of Concurrence**

I, Conor Mack, declare that Richard Allan Ceraolo, on behalf of Preferred Waterproofing Inc., and in his individual capacity, and Tom Spear have signed the Stipulation set forth above and that I have in my possession their signatures on this document.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 15th day of June 2011, in San Francisco, California.

/s/ Conor Mack  
Conor D. Mack